

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
DAVID DAYAN,
Defendant.

Case No. 17-cr-00372-MMC-1

**ORDER GRANTING DEFENDANT'S
MOTION FOR COMPASSIONATE
RELEASE; IMPOSING TERM OF
SUPERVISED RELEASE WITH HOME
INCARCERATION**

Before the Court is defendant David Dayan's ("Dayan") "Motion for Compassionate Release," filed October 14, 2020. The government has filed a response, as has the Probation Office. On December 9, 2020, and, on January 6, 2021, the Court conducted hearings on the matter. At both hearings, Candis Mitchell, Assistant Federal Public Defender, appeared on behalf of Dayan, Karen Kreuzkamp, Assistant United States Attorney, appeared on behalf of the government, and Jenna Russo appeared on behalf of the Probation Office.

The Court, for the reasons stated at the hearings, hereby GRANTS the motion, as follows:

1. Dayan's term of imprisonment is reduced to a term of time served, and he shall be released from the custody of the Bureau of Prisons at the earliest date consistent with its COVID-19 quarantine policy. Upon release, Dayan shall travel directly from FCC Lompoc, or such other federal facility at which he is incarcerated at the time of his release, to his brother's residence in Vallejo, California.

2. The Court imposes, to begin on the date of Dayan's release, a term of supervised release equal to the unserved time remaining on his prison commitment,

1 which commitment expires on December 21, 2022. During such term of supervised
2 release, Dayan shall be subject to the supervision of the Probation Office of the Eastern
3 District of California, shall be confined at the residence of his brother in Vallejo,
4 California, and shall:

5 a. remain in home incarceration, i.e., he may leave the premises only for
6 medical appointments, court appearances, or other reason specifically approved by the
7 Court;

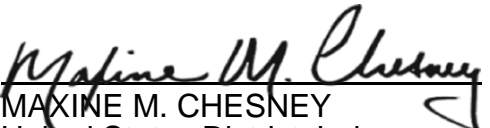
8 b. participate in the Location Monitoring Program, by Radio Frequency,
9 GPS, or Voice ID, which program shall be utilized to verify his compliance with home
10 incarceration;¹ and

11 c. comply with all of the Mandatory, Standard and Special Conditions of
12 Supervision imposed at the time of initial sentencing, as set forth in the Judgment filed
13 September 13, 2018, with the exception of Standard Condition No. 8 and with the further
14 exception that his compliance with Standard Condition No. 1 shall be by telephone rather
15 than in person.

16 3. Upon the expiration of the above-referenced term of supervised release, Dayan
17 shall be on supervised release for an additional term of four years, as set forth in the
18 Judgment filed September 13, 2018, and shall be subject to the Mandatory, Standard,
19 and Special Conditions imposed therein.

20 **IT IS SO ORDERED.**

21
22 Dated: January 7, 2021

23 
24 MAXINE M. CHESNEY
25 United States District Judge
26

27
28 ¹ Local Monitoring fees are waived.